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6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE DISTRICT OF ALASKA AT ANCHORAGE  
9

10 STANDARD INSURANCE COMPANY, )  
Plaintiff, )  
11 vs. )  
12 TRACY GARDNER, )  
Defendant. )  
13  
14

15  
16 TRACY GARDNER in her individual and )  
representative capacity and on )  
17 behalf of the Plan, )

18 Counterclaimant and )  
Third-Party Plaintiff, )  
19

20 vs. )

21 STANDARD INSURANCE COMPANY, and )  
LINDA WHEELER, and ANDREW KLAMSER, )  
22 individually, )

23 Third-Party Defendants. )

24 ) Case No. 3:05-cv-00225-TMB  
25

1     **UNOPPOSED MOTION FOR EXTENSION OF TIME IN WHICH TO FILE A MOTION**  
2     **FOR DEFAULT OR FOR THIRD-PARTY DEFENDANTS TO ANSWER**

3           This is an unopposed motion for an extension of time for  
4     the third-party plaintiff, Tracy Gardner, to move to default the  
5     third-party defendants for their failure to file an answer or  
6     for the third-party defendants to file an answer. The parties  
7     through their attorneys are actively involved in settlement  
8     negotiations to resolve this entire case. Specific offers have  
9     been exchanged with specific dollar amounts offered among other  
10    specific terms and conditions of settlement. These settlement  
11    discussions are being conducted in good faith and are not for  
12    the purposes of delay. It is the opinion of the undersigned  
13    attorney that further settlement discussions may prove fruitful  
14    and cause a resolution of this matter.

15  
16           There was a minute order issued by Judge Burgess on  
17    February 1, 2006 to require a third-party answer or for the  
18    third-party plaintiff to move for default. Therefore, the  
19    parties in this case respectfully request another twenty-one  
20    days to be able to attempt to conclude a settlement in this  
21    case. The parties' counsel have agreed that the third-party  
22    defendants will file an answer to the third-party complaint  
23    after the conclusion of a 21 day period. If a settlement is not  
24    concluded within that time, the third-party defendants will file

1 an answer on the 21<sup>st</sup> day, March 13, 2006, or the third-party  
2 plaintiff will move for default. The parties will, of course,  
3 notify the court as soon as any settlement is concluded and will  
4 file the appropriate dismissal pleadings after any settlement.

5 DATED this \_\_\_\_ day of February 2006, at Anchorage, Alaska.

6  
7 DILLON & FINDLEY, P.C.  
8 Attorneys for Defendant

9 By: s/Linda M. O'Bannon  
10 Linda M. O'Bannon  
11 ABA No. 7710143

12 **CERTIFICATE OF SERVICE**

13 I hereby certify that on February 21, 2006 a copy of the  
14 foregoing Unopposed Motion for Extension of Time in Which to  
15 File a Motion for Default or for Third-Party Defendants to  
16 Answer was served electronically on Brewster H. Jamieson; and by  
17 First Class Mail on Richard A. Weinig, 800 E. Dimond Blvd., #3-  
18 615, Anchorage, AK 99515

19 s/Linda M. O'Bannon